

Rec'd PCT/PTO 16 JUN 2005
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DNAG-298 (10416471)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Bindig, et al.
Serial No. : 10/520,357
International Filing Date : 07/18/2003
For : EXTERNAL ELECTRODE ON A PIEZOCERAMIC MULTI-LAYER
Art Unit : To be assigned
Examiner : To be assigned

June 17, 2005

Commissioner for Patents
P.O. Box 1450
Alexandria, VA. 22313-1450
MS: PCT

I hereby certify that this correspondence is being sent by Express Mail No: EV 331563044 US in an envelope addressed to Commissioner for Patents, P. O. Box 1450, Alexandria, VA. 22313-1450 on the date shown below:

Eileen Sheffield

Signature

Date

RESPONSE TO NOTICE OF MISSING BASIC NATIONAL FEE REQUIRED AND/OR MISSING COPY OF INTERNATIONAL APPLICATION UNDER 35 U.S.C. 371 AND 37 CFR 1.495

Sir:

Applicants hereby respond to the above-identified Notice (copy attached).

Applicants submitted this application under 35 U.S.C. § 371 to commence the U.S. national phase. Applicants' submission included a check for \$1260 and authorization to charge the deposit account for any amount required beyond that provided.

Applicants also submitted copies of the published WO 2004/010511, the International Search Report, and other documents as set forth on the attached copy of the postcard, which bears a USPTO confirmation stamp.


It is not believed that any further documents or fees are required, but Applicants submit herewith a copy of PCT/IB/308 (submitted via Express Mail Procedures as evidenced by the copy of the attached postcard) which indicates that the International Bureau has communicated, as provided in Article 20, the international application to the following designated office: EP, JP, KR and US, negating the need for Applicants to submit such a copy.

Also submitted herewith are a signed declaration and English translation, along with a preliminary amendment.

The Commissioner is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to Deposit Account No. 50-0624, under Order No. NY-DNAG-298.

Respectfully submitted

FULBRIGHT & JAWORSKI L.L.P.

By 
James R. Crawford
Reg. No. 39,155

666 Fifth Avenue
New York, New York 10103
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Enclosures



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
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U.S. APPLICATION NUMBER NO.

10/520,357

FIRST NAMED APPLICANT

Reiner Bindig

ATTY. DOCKET NO.

DNAG-298 (10416471)

INTERNATIONAL APPLICATION NO.

PCT/EP03/07893

LA. FILING DATE

07/18/2003

PRIORITY DATE

07/19/2002

24972

FULBRIGHT & JAWORSKI, LLP

666 FIFTH AVE

NEW YORK, NY 10103-3198

CONFIRMATION NO. 5926

371 FORMALITIES LETTER

OC000000016260218

OC000000016260218

**NOTICE OF INSUFFICIENT BASIC NATIONAL FEE REQUIRED AND/OR MISSING COPY
OF INTERNATIONAL APPLICATION UNDER 35 U.S.C 371 AND 37 CFR 1.495**

Indication of Small Entity Status has not been received.

The following items must be furnished:

Copy of International Application, which includes a copy of the Request Form, submitted to the International Bureau. Prior to publication by the International Bureau, the applicant is responsible for providing copies of IB papers to USPTO.

The basic national fee to enter the national stage in the United States of America under 35 U.S.C. 371 must be paid by 30 months from the priority (37 CFR 1.495(b)(2)).

If the proper basic national fee is not timely paid, the international application will become ABANDONED as to the United States of America, and will not be accepted for national examination.

The amount required shown above reflects the correct fee as of the date of this Notice. If the amount changes prior to payment, applicant must pay the revised amount.

The current basic national fees are listed at 37 CFR 1.492(a)(1)-(5). In addition, current PCT related fees are listed in each weekly issue of the Official Gazette of the United States Patent and Trademark Office and the amount of the fees can be obtained from the USPTO's web site www.uspto.gov or by contacting the Public Service Center at (703) 308-4357.

Extensions of time under the provisions of 37 CFR 1.136 are not available for compliance with the requirements of 37 CFR 1.495(b)(2).

For filing the basic national fee, the first class certificate of mailing procedure of 37 CFR 1.8 is NOT available to establish the date of mailing as the date of receipt in the USPTO (see 37 CFR 1.8(a)(2)(i)(F)). The Express Mail procedure of 37 CFR 1.10 may be used.

The basic national fee may not be submitted via facsimile transmission.

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed

to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

TERRY M JOHNSON VESSELS

Telephone: (703) 308-9140 EXT 221

PART 1 - ATTORNEY/APPLICANT COPY

| U.S. APPLICATION NUMBER NO. | INTERNATIONAL APPLICATION NO. | ATTY. DOCKET NO. |
|-----------------------------|-------------------------------|---------------------|
| 10/520,357 | PCT/EP03/07893 | DNAG-298 (10416471) |

FORM PCT/DO/EO/912 (371 Formalities Notice)

Rec'd PCT/PTO

17 JUN 2005

Rec'd PCT/PTO

16 JUN 2005

Certificate of Express Mail

This mail is being sent by Express Mail No. EV 331563044 US

In an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA. 22313-1450

On

6/17/05

By Eileen Sheffield

Eileen Sheffield

FORM PTO 1390
(REV 11-2000)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371

DNAG-298

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

10/520,357

INTERNATIONAL APPLICATION NO.

PCT/EP2003/007893

INTERNATIONAL FILING DATES

July 18, 2003

PRIORITY DATE CLAIMED

July 19, 2002 and June 20, 2003

EXTERNAL ELECTRODE ON A PIEZOCERAMIC MULTI-LAYER ACTUATOR

APPLICANT(S) FOR DO/EO/US Binding, et al.

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other informationX

1. ☐ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing 35 U.S.C. 371
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371 (f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☐ The US has been elected by the expiration of 19 months from the priority date (PCT Article 31).
5. ☐ A copy of the International Application as filed (35 U.S.C. 371 (c)(2))
 - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371 (c)(2)).
 - a. ☐ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☒ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).(unsigned)
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).

Items 11 to 20 below concern document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A FIRST preliminary amendment.
14. ☒ A SECOND or SUBSEQUENT preliminary amendment.
15. ☐ A substitute specification.
16. ☐ A change of power of attorney and/or address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
20. ☐ Other items or information

~~Rec'd PCT/PTO 16 JUN 2005~~ *Ad*

Rec'd PCT/PTO 17 JUN 2005

CASE NO: DNAG-298 (10416471) (JRC) Serial No: Please Assign

Date Mailed: 1/4/05

Due Date 1/19/05

DT07 Rec'd PCT/PTO 04 JAN 2005

The stamp of the Patent Office hereon may be taken as acknowledgment of receipt, on the date stamped, of the following

Express Mail No: EV 331562993 US

371 Transmittal - PCT/EP2003/007893 filed 7/18/03; German Priority:

10233 057.3 - 7/19/02 and 103 27 902.4 filed 6/20/03 (15 pages) 2

sheets drawings; WO 2004/010511 A3; Inter. Search Report;

PCT/ISA/210; PCT/IB/308; PCT/IB/332; PCT/IPEA/416;

PCT/IPEA/409; Prel. Amendment: Information Disclosure Statement

PTO/SB/08

Check for \$1260.00

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